

2016-17 ANNUAL REPORT

*on the Administration of the Access to Information and
Protection of Privacy Act, 2015*

Justice and Public Safety

Table of Contents

Overview	6
Highlights of 2016-17	7
Report on Performance	8
Increase in Requests Received	8
Response Times to Access Requests.....	10
Providing Access	13
Requests by Applicant Type.....	13
Processing Costs Paid for Access Requests	15
Outcomes of Requests	16
ATIPP Office Support.....	16
Privacy Assessments.....	17
Training.....	17
Posting of ATIPP Requests	18
Annex A - Detailed Statistical Report	19
Section A - General Requests	19
Volume and Applicant Type	19
Frequency Applicant Type	23
Costs	23
Final Outcomes	24
Exceptions to Disclosure.....	28
Response Times.....	29
Section B - Personal Information Requests.....	33
Volume and Applicant Type	33
Frequency Applicant Type	35
Costs	35
Final Outcomes	35
Exceptions to Disclosure.....	37
Response Times.....	39
Request for Correction of Personal Information	41
Annex B – House of Assembly and Statutory Offices Statistics.....	42
Type and Volume of Requests	42
Costs	42

Final Outcomes	43
Exceptions to Disclosure.....	43
Response Time	44
Request for Correction of Personal Information	45
Annex C – Cost Schedule	46

MESSAGE FROM THE MINISTER

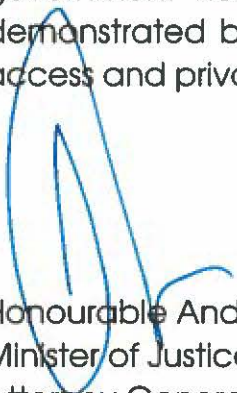
As the Minister responsible for Newfoundland and Labrador's *Access to Information and Protection of Privacy Act, 2015 (ATIPPA, 2015)*, I am pleased to present this annual report.



Fiscal year 2016-2017 has been another busy year in the access to information and privacy field. This is the second year in a row that we have seen record breaking increases in the number of ATIPP requests, with 2085 requests for information across all public bodies. This includes government departments, municipalities, regional health authorities, school boards, and a variety of other government organizations. ATIPP coordinators across government and in these other public bodies put a tremendous amount of work into completing these requests within the legislated timelines.

As we are seeing such significant increases in requests, it is important to ensure that ATIPP coordinators across the province are well trained. This year the ATIPP Office has developed in depth training for coordinators and offered 60 training sessions throughout the province. Through these training sessions, we have also provided training to employees on their obligations to protect privacy and report privacy breaches. The ATIPP Office also provided specific training for municipal ATIPP coordinators.

Our government believes in the right for people to access information government holds and in the importance of protecting citizens' privacy as demonstrated by the substantial work the ATIPP Office has done in promoting access and privacy throughout the province.



Honourable Andrew Parsons
Minister of Justice and Public Safety
Attorney General

Overview

The *ATIPPA, 2015* sets out how public bodies in Newfoundland and Labrador must respond to access to information requests, and how they must protect personal information. The role of the ATIPP Office is to assist these public bodies in complying with the legislation, and monitor how well *ATIPPA, 2015* is being followed.

Public bodies include government departments, agencies, boards, commissions, crown corporations, health authorities, educational bodies and municipalities.

Providing Assistance

In order to fulfill our mandate of supporting public bodies in compliance with *ATIPPA, 2015*, the ATIPP Office:

- Operates a help line for public bodies, members of the public and anyone else who has questions about access to information and protection of privacy;
- Develops training materials and delivers training sessions for ATIPP coordinators, municipalities, and other public body employees;
- Delivers Communities of Practice sessions which are available to ATIPP coordinators across the province;
- Maintains policy manuals on access and privacy;
- Develops guidance pieces on specific issues including municipal access and privacy, handling privacy breaches, and information protection; and
- Conducts privacy assessments on new and existing projects.

Monitoring Access and Privacy

The ATIPP Office also monitors how well public bodies are complying with *ATIPPA, 2015*. This role includes:

- Maintaining statistics on access requests to departments and public bodies, including the outcome of requests, fees charged and response times; and
- Monitoring privacy breaches that occur across government.

Information about the ATIPP process and the ATIPP Office can be found online at: www.atipp.gov.nl.ca/.

Highlights of 2016-17

This has been a busy year for access to information, protection of privacy and the ATIPP Office with a record number of requests and a strong focus on training.

In the 2016-17 fiscal year, 2085 requests were made to government departments and public bodies, up from 1410 the year before. Compared with numbers from five years ago, requests have gone up by 216 percent. This represents a substantial increase in requests over time, and a significant increase in the workload for ATIPP coordinators across all public bodies as well as for the ATIPP Office.

A major focus of the ATIPP Office this year has been the development and delivery of training for ATIPP coordinators and public body employees.

In terms of developing training programs, the ATIPP Office created a full day training program for ATIPP coordinators. This training includes detailed information on the ATIPP request process and hands on examples on how to process an ATIPP request.

Delivering these training modules has kept the ATIPP Office busy over the past year, with staff travelling to Labrador City, Happy Valley-Goose Bay, Deer Lake, Corner Brook, Stephenville, Channel-Port aux Basques, Gander, Springdale and Grand Falls-Windsor as well as the Avalon. In total, more than 900 people attended 60 different access and privacy training sessions. Sessions were held with ATIPP coordinators, municipalities and general public body staff.

In addition, the ATIPP Office facilitated privacy certification training for 15 ATIPP coordinators through the accredited International Association of Privacy Professionals (IAPP).

Throughout the year, the ATIPP Office has also supported ATIPP coordinators, public body staff and members of the public through our ATIPP Help Line, fielding 1531 calls on a wide variety of access and privacy issues.

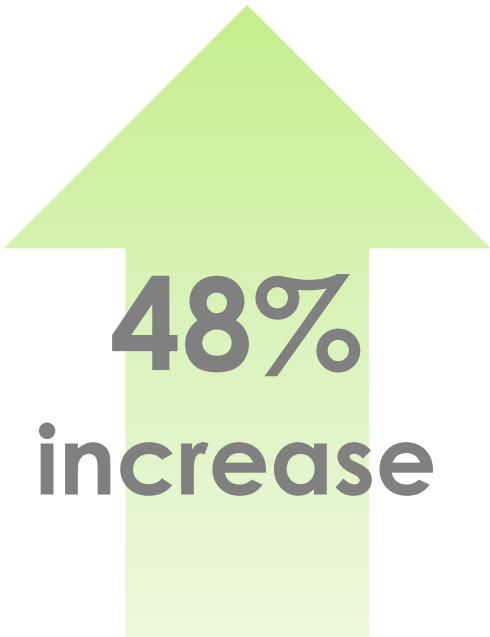
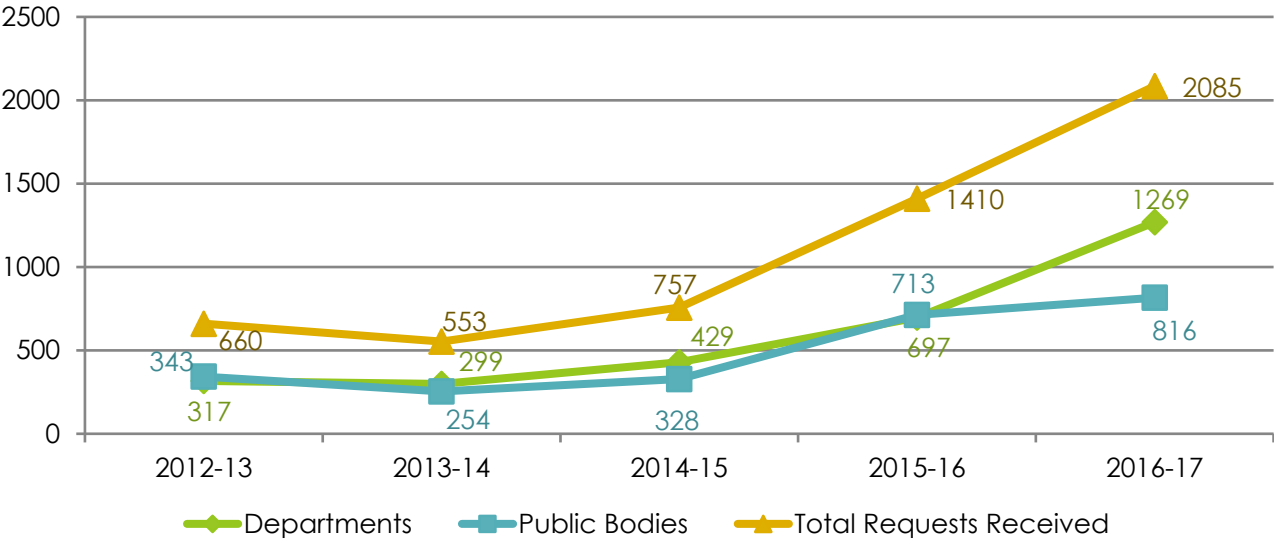
The ATIPP Office continues to ensure the ATIPP process is transparent through the Completed ATIPP Request website (<http://atipp-search.gov.nl.ca/>). General requests are posted on this website so the public can access information that has been disclosed through the ATIPP process. This year, more than 70,000 pages were posted on the Completed ATIPP Request website.

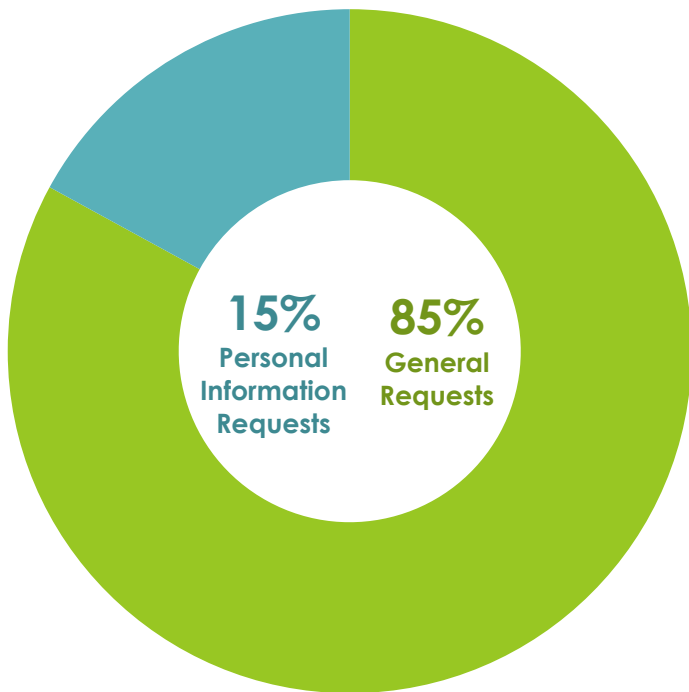
Report on Performance

Increase in Requests Received

In the 2016-17 fiscal year, a total of 2085 access requests were made to government departments and public bodies (see Annex A, Table 1). This represents a 48 per cent increase from the previous fiscal year when 1410 requests were received. Overall, there has been a 216 per cent increase in the number of access requests received by government departments and public bodies over a five-year period (2012-13 to 2016-17).

Figure 1 – Number of Access Requests by Fiscal Year

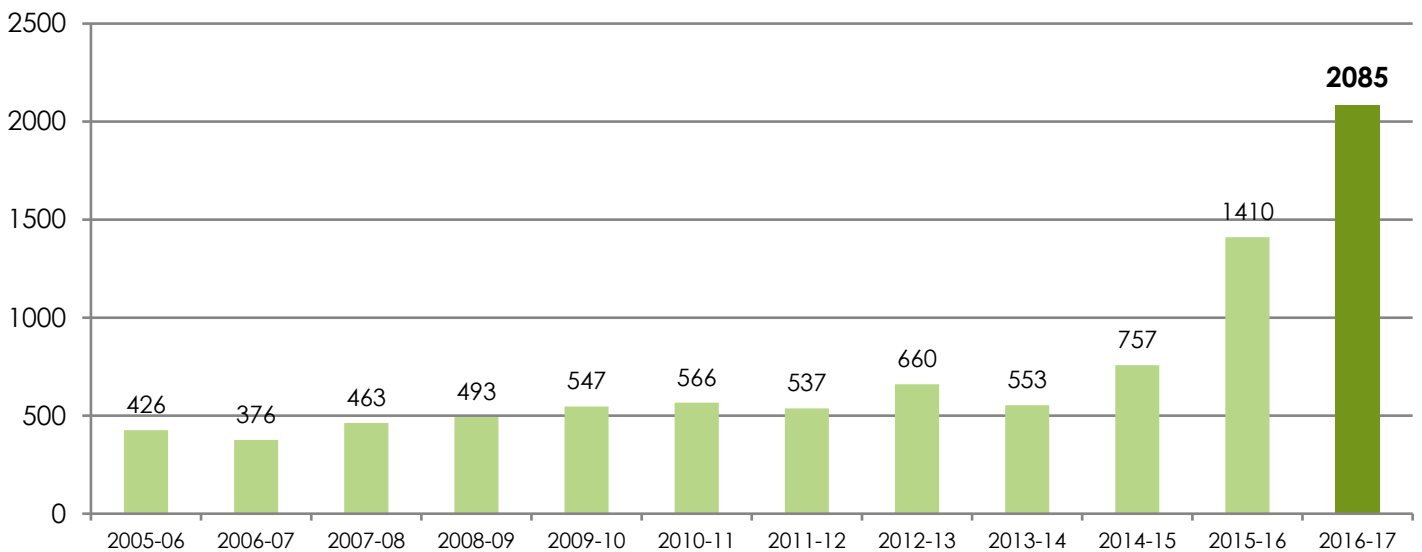




During 2016-17, general requests represented the majority of access to information requests received by all public bodies.

A look at the last twelve years since the Act came into force shows an overall increase in the number of access requests received by departments and public bodies, with 2016-17 seeing the highest number of requests received with 2085 requests as compared with 2005-06 where 426 requests were received (Figure 2).

Figure 2 – Number of Access Requests Over 12-Year Period



Of the 2085 requests received in 2016-17, the Government of Newfoundland and Labrador received 1269 (61 per cent) requests, while other public bodies in total received 816 (39 per cent) requests. Of the requests made to government departments, 162 (13 per cent) were for personal information – people asking for

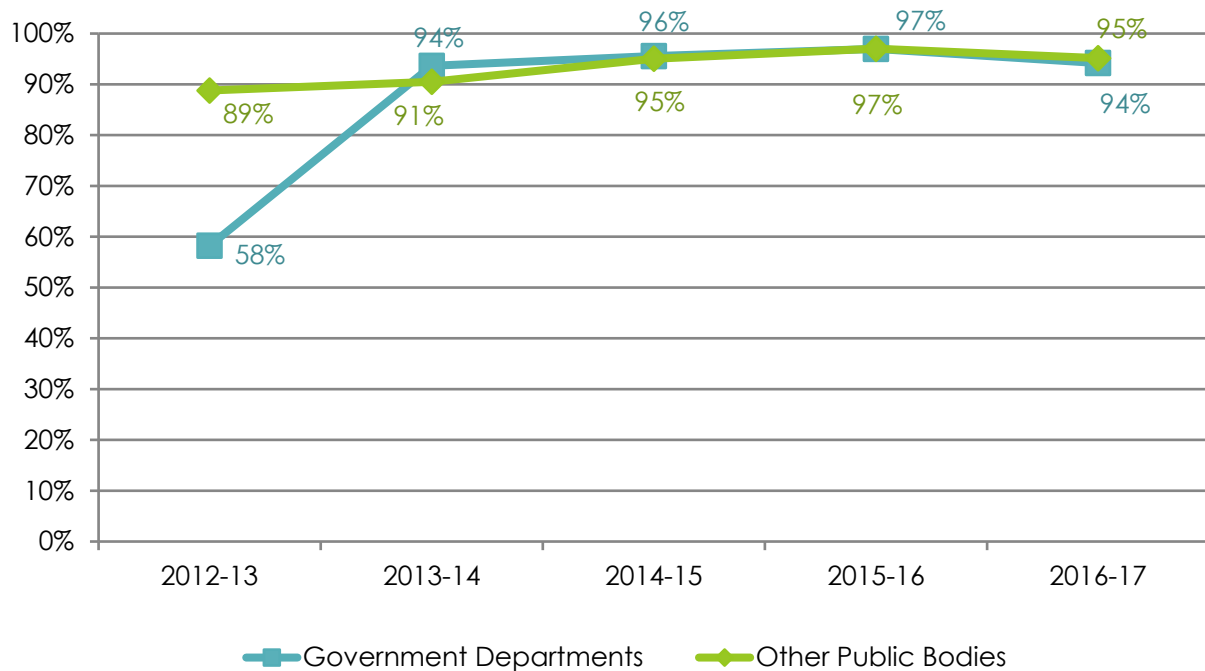
their own information. The remaining 1107 (87 per cent) were general requests for records relating to government activities and programs.

Response Times to Access Requests

During the 2016-17 fiscal year:

- departments responded to 95 per cent of general requests and 91 per cent of personal information requests within the legislated timelines¹; and
- public bodies responded to 95 per cent of general requests and 98 per cent of personal information requests within the legislated timelines².

Figure 3 – On-Time Response Timelines for All Requests (General and Personal Information Requests) (2012-13 to 2016-17)



¹ At the time of this report, 11 general access requests had not closed.

² At the time of this report, 12 general access requests had not closed.



Of the **2085** access requests received by departments and public bodies, **95%** were responded to within the legislated timelines.

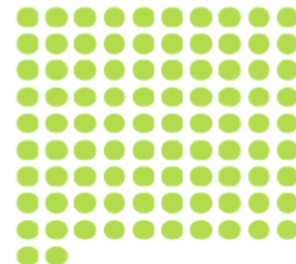
General Requests Received Monthly for 2016-17

The 2016-17 fiscal year saw record-breaking numbers of general access requests received by government departments with 1107 general access requests received in 2016-17 as compared with 697 received in 2015-16 (an increase of 59 per cent). When comparing the number of general access requests received by departments in 2016-17 with the number of requests ten years ago (2006-07, 220 general requests received), this is an increase of 403 per cent.

Throughout 2016-17, the number of general requests received by departments each month saw an overall increase, with an average number of 92 requests received per month. This is an increase from the monthly average in 2015-16 of 51 requests per month.



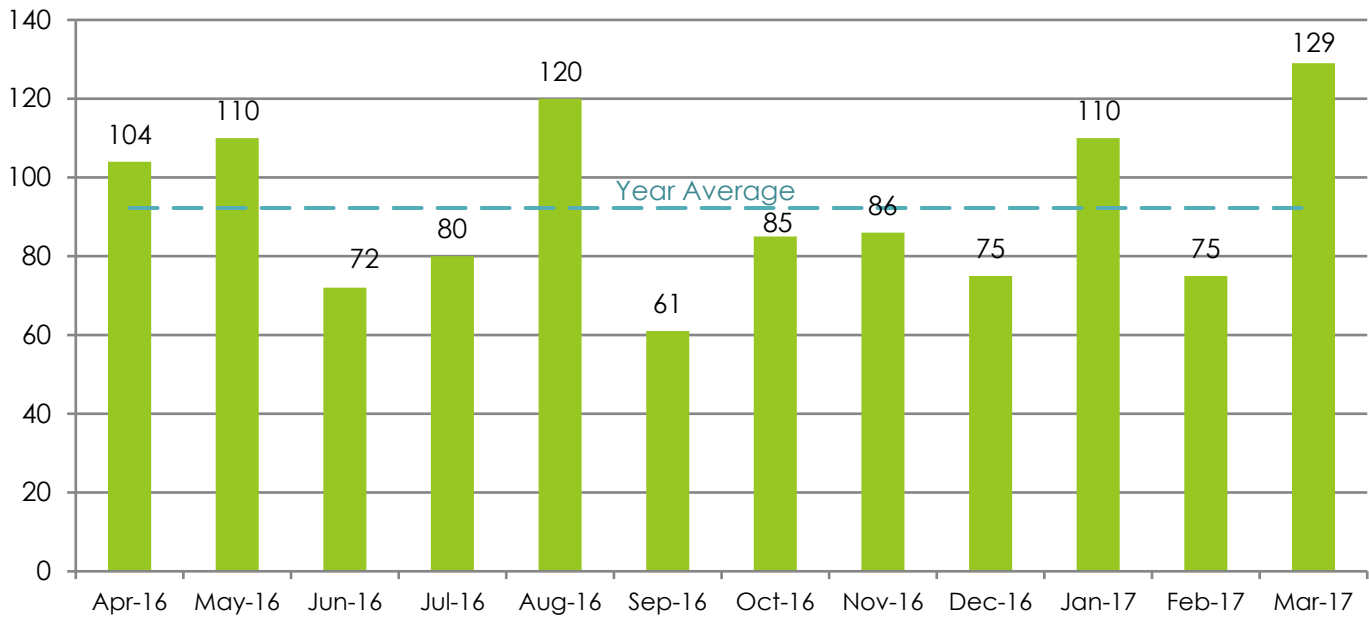
2015-16: average of **51** requests received per month



2016-17: average of **92** requests received per month

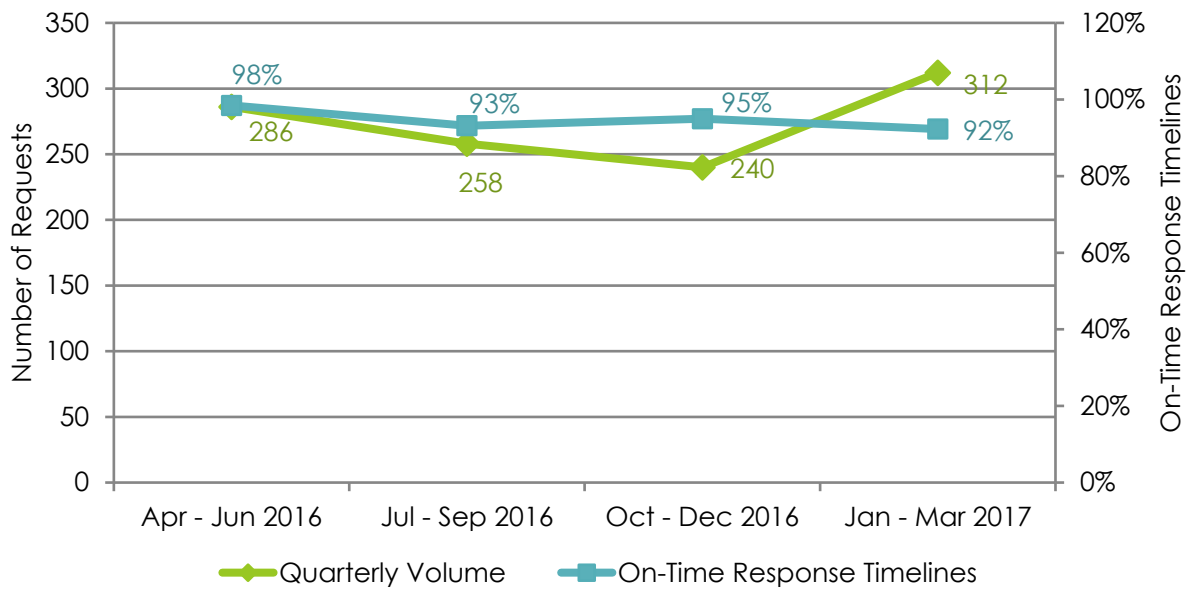
The number of general requests to other public bodies increased with 672 general requests received in 2016-17 as compared with 543 received in 2015-16, an increase of 24 per cent. When comparing the number of general access requests received by other public bodies in 2016-17 with the number of requests ten years ago (2006-07, 79 general requests received), this is an increase of 751 per cent.

Figure 4 – General Requests Received Monthly for 2016-17*



*Statistics provided in Figure 4 are general requests received by government departments.

Figure 5 – General Requests Quarterly Volume and Response Time for 2016-17



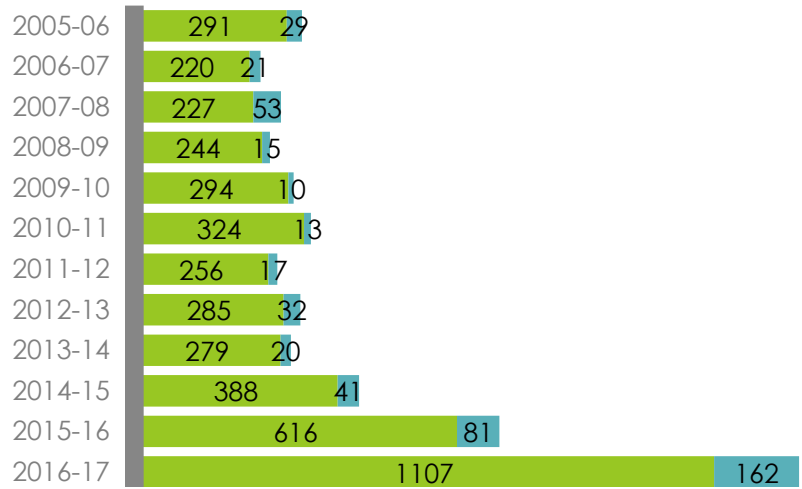
*Statistics provided in Figure 5 are requests received by government departments.

Providing Access

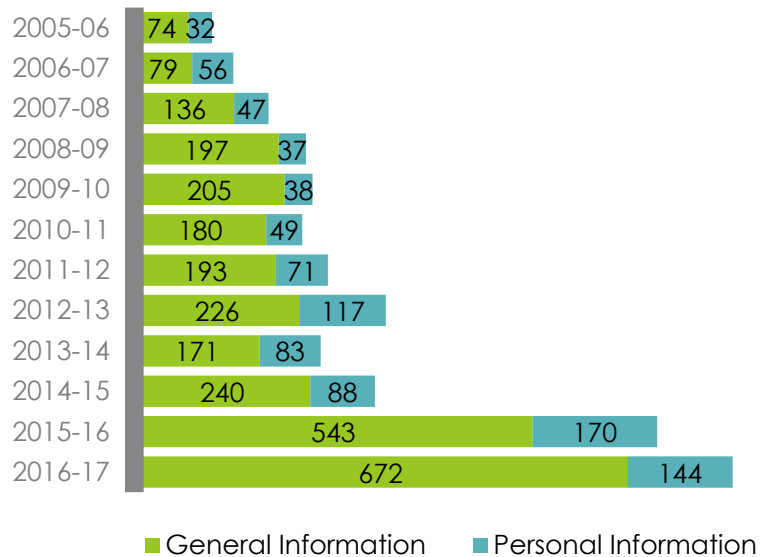
Every year since 2005, the majority of requests received by all public bodies (departments and other public bodies) have been requests for general information. In 2016-17, individuals seeking their own personal information represented approximately 13 per cent of the requests received by government departments. Requests from individuals seeking general information from departments represented the other 87 per cent of requests.

For other public bodies, 18 per cent of requests were for personal information and the remaining 82 per cent were for general information.

Requests to Departments



Requests to Public Bodies

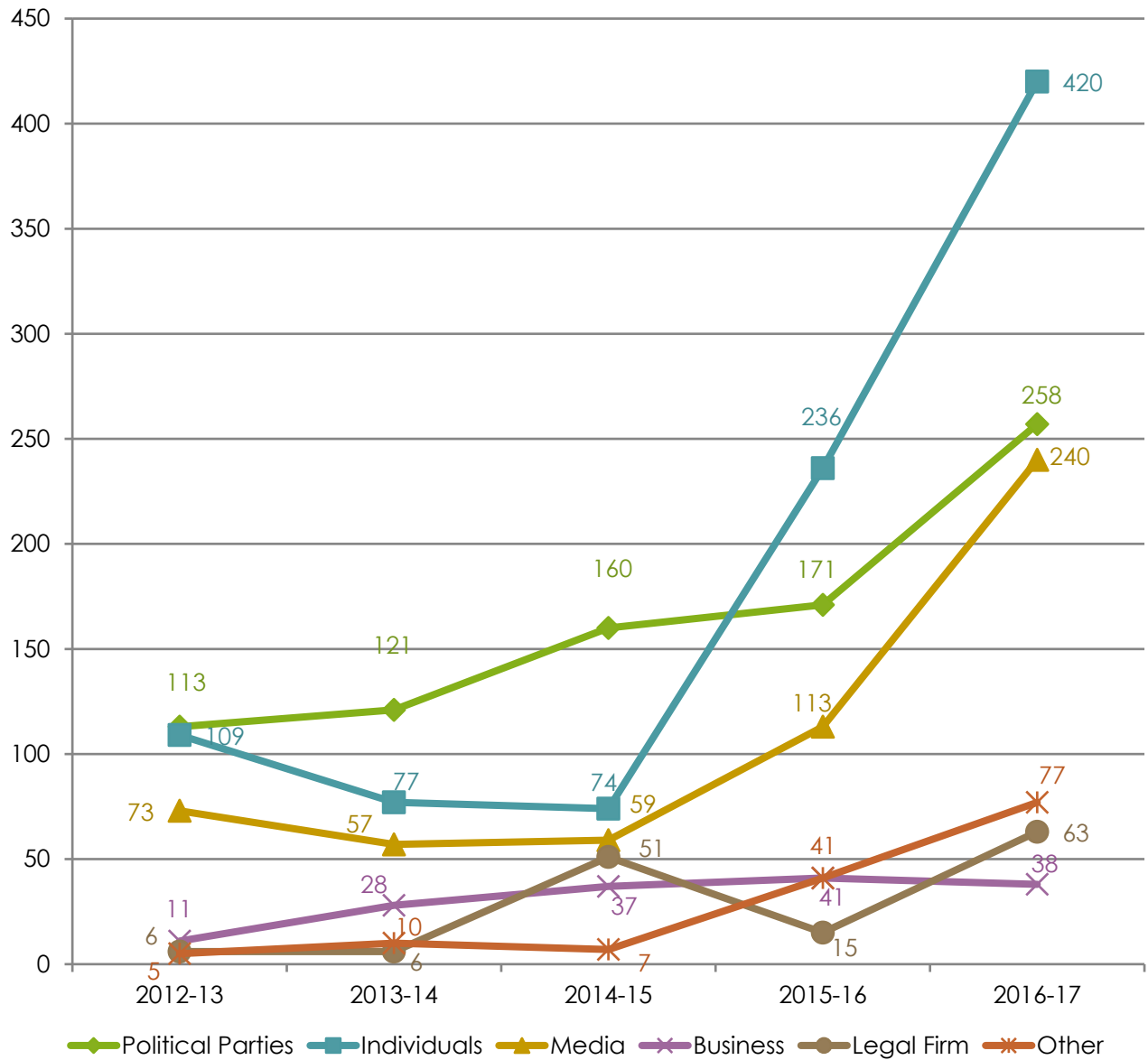


Requests by Applicant Type

Many different types of people make access to information requests each year. These applicants are divided into eight different categories: individuals, political parties, media, businesses, legal firms, interest groups, researchers and other public bodies.

The largest number of requests is received from individuals, political parties and media. The number of requests made by these three groups has increased this fiscal year, with the majority of requests received by departments being made by individuals in 2016-17.

Figure 6 – Requests by Applicant Type

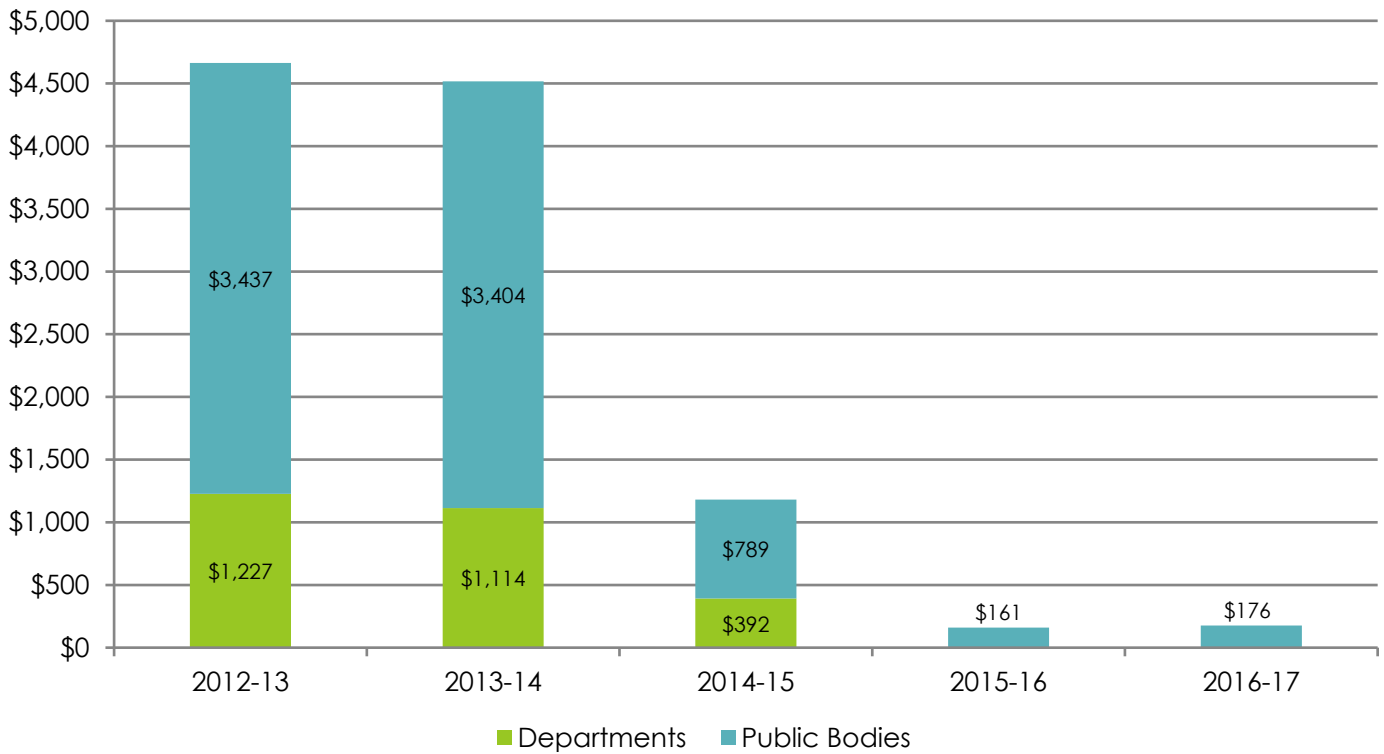


*Statistics provided in Figure 6 are general requests received by government departments.

Processing Costs Paid for Access Requests

As a result of the changes to the Cost Schedule in March 2015, which included the elimination of an application fee as well as an increase in the free time for requests and a reduction in what can be charged, limited costs were paid in 2016-17. No costs were paid to government departments in 2016-17.

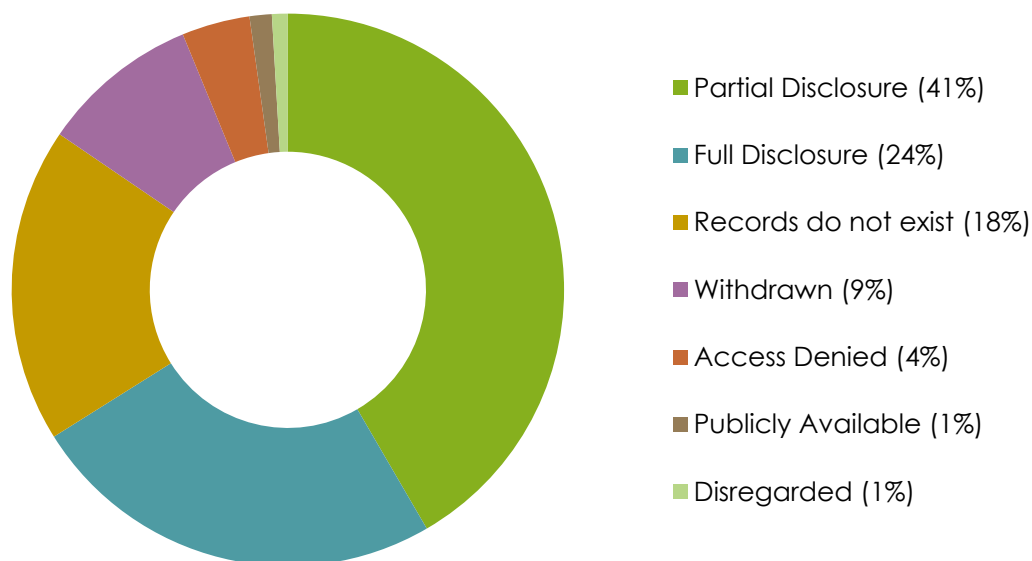
Figure 7 – Processing Costs Paid



Outcomes of Requests

Figure 8 shows the final outcome for departmental general access requests in 2016-17. The majority resulted in full disclosure (24 per cent) or partial disclosure (41 per cent).

Figure 8 – Final Outcome of General Access Requests Responded to by Departments



ATIPP Office Support

In an effort to assist government departments and public bodies understand their roles and responsibilities relating to access to information and the protection of privacy, the ATIPP Office provides advice and guidance to these entities and also responds to public inquiries.

The ATIPP Office received over 1,500 calls during 2016-17, with 63 per cent from departments and the remaining from agencies, board, commissions, municipalities and the general public. This is consistent with the number of phone calls received by the ATIPP Office in 2015-16.

1531

calls responded to by the
ATIPP Office in 2016-17

Privacy Assessments

Any new or redesigned government programs involving personal information must undergo a preliminary privacy impact assessment or a full privacy impact assessment to identify potential privacy risks and ensure compliance with the privacy provisions of the Act.

In 2016-17, the ATIPP Office reviewed 37 preliminary privacy impact assessments of new or modified programs and services to ensure the protection of personal information.

Training

In 2016-17, the ATIPP Office arranged for 15 ATIPP coordinators to complete the Certified Information Privacy Professional certification training through the International Association of Privacy Professionals.

60

training sessions held
across the province in
2016-17

This fiscal year saw the ATIPP Office launch new full-day training for ATIPP coordinators with 22 sessions being held for new and existing ATIPP coordinators.

In early 2017, the ATIPP Office staff conducted province-wide training for public bodies, with sessions held in Labrador, Deer Lake, Corner Brook, Stephenville, Channel-Port aux Basques, Gander, Springdale Grand Falls-Windsor as well as the Avalon.

In addition, ATIPP Office staff once again attended and presented at the Municipalities NL and Professional Municipal Administrators conferences as well as provided municipal-specific training with various municipalities.

In total, more than 900 people attended 60 different access and privacy training sessions during 2016-17 and 864 completed the online access and privacy training offered through the Provincial Government's Centre for Learning and Development.

Posting of ATIPP Requests

The ATIPP Office began the online posting of completed general access to information requests received by government departments in 2013. Since that time, more than 2100 requests have been posted up to the end of fiscal year 2016-17, with almost 154,000 pages of information posted online. A total of 938 completed general access requests were posted online in 2016-17 with more than 70,000 pages of information posted online.

70,435

pages of information
posted online on the
Completed ATIPP Request
Website in 2016-17

Annex A - Detailed Statistical Report

During 2016-17, departments and public bodies received a total of 2085 general and personal access requests. Public bodies include government agencies, boards, commissions, municipalities, crown corporations, health care and educational bodies.

Table 1 – Total Number of Requests Received (April 1, 2016 to March 31, 2017)

REQUEST TYPE	Total	%
General Requests to a Government Department	1107	53%
General Requests to a Public Body	672	32%
Personal Information Requests to a Government Department	162	8%
Personal Information Requests to a Public Body	144	7%
TOTAL	2085	100%

Information relating to general requests is outlined in section A and information relating to personal information requests is outlined in section B.

The listing of government departments is based on the departmental structure at the end of the 2016-17 fiscal year.

Section A - General Requests

Requests for general information cover a wide range of subjects and records, from policy documents to travel claims or archived records. This section reports the volume and applicant type for general requests made to departments and public bodies. The data is detailed further to report fees recorded, outcomes of requests, exceptions to disclosure applied and response timelines.

Volume and Applicant Type

During the 2016-17 fiscal year, a total of 1779 general requests were received by government departments and public bodies. Of these, departments received 1107 (62 per cent) and public bodies 672 (38 per cent).

Table 2a – General Requests by Department and Applicant Type (April 1, 2016 to March 31, 2017)

DEPARTMENT	Individual	Political Party	Media	Legal Firm	Interest Group	Business	Researcher	Not Closed	TOTAL
Advanced Education, Skills and Labour	11	5	1	3	1	2	1	0	24
Children, Seniors and Social Development	7	13	0	15	0	0	0	0	35
Education and Early Childhood Development	40	14	2	0	4	0	0	0	60
Executive Council (Cabinet Secretariat)	12	12	10	2	0	0	2	1	39
Communications and Public Engagement Branch	0	4	0	0	0	0	0	0	4
Human Resource Secretariat	11	14	3	0	1	2	0	0	31
Intergovernmental and Indigenous Affairs Secretariat	1	3	1	1	0	0	0	0	6
Office of the Chief Information Officer	7	3	0	0	0	0	0	0	10
Office of Climate Change	0	1	0	0	0	0	0	0	1
Office of Labrador Affairs	5	3	4	0	0	0	0	0	12
Premier's Office	14	50	35	0	0	0	0	1	100
Women's Policy Office	1	6	2	0	0	0	0	0	9
Finance	19	13	18	0	6	1	3	1	61
Fisheries and Land Resources	17	11	9	0	6	2	2	1	48
Health and Community Services	36	14	22	20	9	4	2	3	110
Justice and Public Safety	37	13	27	2	8	2	1	0	90
Municipal Affairs and Environment	86	13	18	5	16	11	9	0	158
Natural Resources	17	24	44	2	1	1	0	1	90
Service NL	36	7	8	8	0	2	0	0	61
Tourism, Culture, Industry and Innovation	17	11	9	0	0	0	0	1	38
Transportation and Works	46	24	27	5	5	11	0	2	120
Total by Applicant Type	420	258	240	63	57	38	20	11	1107
Percentage %	38%	23%	22%	6%	5%	3%	2%	1%	100%

Table 2b – General Requests by Public Body and Applicant Type (April 1, 2016 to March 31, 2017)

PUBLIC BODY	Individual	Media	Business	Interest Group	Legal Firm	Political Party	Researcher	Other Public Body	Not closed	TOTAL
Central Health	2	2	4	0	2	1	0	0	0	11
Central Newfoundland Waste Management	1	0	0	0	0	0	0	1	0	2
Centre for Health Information	2	0	0	0	0	0	0	0	0	2
City of Corner Brook	6	1	1	0	0	0	0	0	0	8
City of Mount Pearl	10	2	0	0	0	0	0	0	0	12
City of St. John's	53	8	7	1	4	0	1	0	0	74
College of the North Atlantic	3	0	0	0	0	0	0	0	3	6
Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador	2	0	0	0	1	0	0	0	0	3
Corner Brook Local Board of Appeal	0	0	1	0	0	0	0	0	0	1
Eastern Health	27	10	6	3	5	6	0	0	0	57
Eastern Waste Management	1	0	0	0	0	0	0	0	0	1
Government Purchasing Agency	0	0	9	0	0	0	0	0	1	10
Labour Relations Board	1	0	0	0	0	0	0	0	0	1
Labrador-Grenfell Health	0	2	0	1	5	1	0	0	0	9
Memorial University	21	3	8	35	0	0	0	0	2	69
Multi-Materials Stewardship Board	1	0	0	0	0	0	0	0	0	1
Nalcor Energy	28	17	7	0	0	2	1	0	0	55
Newfoundland and Labrador English School District	43	2	1	1	1	3	0	0	1	52
Newfoundland and Labrador Film Development Corporation	1	1	0	0	0	0	0	0	0	2
Newfoundland and Labrador Housing Corporation	1	0	0	0	1	0	0	0	0	2
Newfoundland Labrador Liquor Corporation	3	1	0	0	0	0	0	0	0	4
Professional Fish Harvester's Certification Board	1	0	0	0	0	0	0	0	0	1
Provincial Information and Library Resources Board	1	0	0	1	0	0	0	0	0	2
Public Utilities Board	1	0	0	0	1	0	0	0	0	2
The Rooms	1	0	0	0	0	2	1	0	1	5
Royal Newfoundland Constabulary	43	3	7	0	6	0	0	0	0	59
Town of Bay Bulls	13	0	0	0	0	0	0	0	0	13

PUBLIC BODY	Individual	Media	Business	Interest Group	Legal Firm	Political Party	Researcher	Other Public Body	Not closed	TOTAL
Town of Channel-Port aux Basques	0	1	0	0	0	0	0	0	0	1
Town of Conception Bay South	15	3	0	0	3	0	0	0	0	21
Town of Eastport	3	0	0	0	0	0	0	0	0	3
Town of Flatrock	1	0	0	0	0	0	0	0	0	1
Town of Fogo Island	1	0	0	0	0	0	0	0	0	1
Town of Gander	19	0	1	0	0	0	0	0	0	20
Town of Happy Adventure	1	0	0	0	0	0	0	0	0	1
Town of Happy Valley-Goose Bay	1	0	0	0	0	0	0	0	0	1
Town of Harbour Grace	1	0	3	0	0	0	0	0	0	4
Town of Hare Bay	1	0	0	0	0	0	0	0	0	1
Town of Holyrood	1	1	0	0	0	0	0	0	0	2
Town of Labrador City	2	0	0	0	0	0	0	0	0	2
Town of Logy Bay	0	0	0	0	0	0	1	0	0	1
Town of Marystown	7	0	0	0	0	0	0	0	0	7
Town of Paradise	9	0	0	0	0	0	1	0	0	10
Town of Pasadena	1	0	0	0	0	0	0	0	0	1
Town of Portugal Cove-St. Philip's	76	0	1	0	0	0	0	0	0	77
Town of St. Brendan's	1	0	0	0	0	0	0	0	0	1
Town of St. George's	1	0	0	0	0	0	0	0	0	1
Town of Stephenville	7	0	0	0	0	0	0	0	0	7
Town of Terrenceville	1	0	0	0	0	0	0	0	0	1
Town of Torbay	1	0	0	0	0	0	0	0	0	1
Town of Upper Island Cove	0	0	0	0	0	0	0	0	4	4
Town of Wabana	1	0	0	0	0	0	0	0	0	1
Town of Whitbourne	1	0	0	0	0	0	0	0	0	1
Town of Witless Bay	6	2	0	0	0	0	0	0	0	8
Western Health	7	2	0	1	6	1	0	0	0	17
Workplace NL	8	1	1	1	1	0	0	0	0	12
Total by Applicant Type	439	62	57	44	36	16	5	1	12	672
Percentage %	65%	9%	8%	7%	5%	2%	1%	0%	2%	99%

Note: Percentages do not add up to 100% due to rounding.

Frequency Applicant Type

Table 3 – General Requests by Frequency of Applicant Type (April 1, 2016 to March 31, 2017)

Applicant Type	Department	Public Body	Total	Percentage
Individual	420	439	859	48%
Media	240	62	302	17%
Political Party	258	16	274	15%
Interest Group	57	44	101	6%
Legal Firm	63	36	99	6%
Business	38	57	95	5%
Researcher	20	5	25	1%
Other Public Body	0	1	1	0%
Not Closed	11	12	23	1%
Total	1107	672	1779	100%

Costs

Section 25 of the Act gives the Minister responsible for the Act the right to establish a Cost Schedule which outlines the applicable costs for access to information requests (see Annex C). There is no application fee, however, applicants can be charged \$25.00 per hour for locating records; \$0.25 per page for photocopying; and associated shipping costs. For municipalities, fees are not charged for the first ten hours of time spent locating records. For all other public bodies, fees are not charged for the first fifteen hours of time spent locating records. The head of a public body may waive the requirement to pay any fees if payment would impose an unreasonable financial hardship on the applicant or is in the public interest.

The table below represents a breakdown of the \$176.25 in costs paid by applicants for access requests.

Table 4 – Costs Paid for General Requests (April 1, 2016 to March 31, 2017)

PUBLIC BODY	TOTAL (\$)
City of Corner Brook	\$12.50
Town of Conception Bay South	\$7.75
Town of Gander	\$40.25
Town of Witless Bay	\$45.75
Workplace NL	\$70.00
Total	\$ 176.25

Final Outcomes

Responding to general requests can result in a range of possible outcomes. The outcome may be full or partial disclosure of information; the applicant may withdraw or abandon the request; the record may not exist or may already be available in the public domain; or access to the records may be denied. Partial disclosure means exceptions have been applied and some information has been severed in accordance with the legislation.

Table 5a – Final Outcome of General Requests by Department (April 1, 2016 to March 31, 2017)

DEPARTMENT	Partial Disclosure	Full Disclosure	Do not Exist	Withdrawn	Access Denied	Publicly Available	Disregard	Other	Neither Confirm/Deny	Abandon	Not Closed	TOTAL
Advanced Education, Skills and Labour	5	6	2	9	1	0	0	0	1	0	0	24
Children, Seniors and Social Development	21	5	5	1	2	1	0	0	0	0	0	35
Education and Early Childhood Development	18	28	7	2	3	2	0	0	0	0	0	60
Executive Council (Cabinet Secretariat)	11	9	7	5	4	1	0	1	0	0	1	39
Communications and Public Engagement Branch	0	0	3	0	1	0	0	0	0	0	0	4
Human Resource Secretariat	8	14	4	3	1	1	0	0	0	0	0	31
Intergovernmental and Indigenous Affairs Secretariat	1	1	1	0	2	0	0	1	0	0	0	6
Office of the Chief Information Officer	1	3	2	0	1	1	1	1	0	0	0	10
Office of Climate Change	1	0	0	0	0	0	0	0	0	0	0	1
Office of Labrador Affairs	7	0	4	1	0	0	0	0	0	0	0	12
Premier's Office	53	21	21	2	1	0	0	1	0	0	1	100
Women's Policy Office	2	1	5	0	1	0	0	0	0	0	0	9
Finance	22	20	12	2	2	1	0	1	0	0	1	61
Fisheries and Land Resources	23	8	8	4	1	0	1	2	0	0	1	48
Health and Community Services	41	12	22	28	2	0	2	0	0	0	3	110
Justice and Public Safety	21	20	26	9	9	1	2	1	1	0	0	90
Municipal Affairs and Environment	60	47	22	19	3	2	4	1	0	0	0	158
Natural Resources	46	15	20	4	2	0	0	2	0	0	1	90
Service NL	30	9	11	1	4	5	0	0	0	1	0	61
Tourism, Culture, Industry and Innovation	21	10	3	2	1	0	0	0	0	0	1	38
Transportation and Works	59	35	14	8	2	0	0	0	0	0	2	120
Total	451	264	199	100	43	15	10	11	2	1	11	1107
Percentage%	41%	24%	18%	9%	4%	1%	1%	1%	0%	0%	1%	100%

Of the 1096³ general requests responded to by departments, 715 (65 per cent) resulted in full or partial disclosure, 199 (18 per cent) were for records that did not exist and access was denied in 43 (four per cent) requests.

Table 5b - Final Outcome of General Requests by Public Bodies (April 1, 2016 to March 31, 2017)

OUTCOME BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Do not Exist	Access Denied	Withdrawn	Publicly Available	Disregard	Abandon	Neither Confirm/Deny	Not Closed	TOTAL
Central Health	8	3	0	0	0	0	0	0	0	0	11
Central Newfoundland Waste Management	2	0	0	0	0	0	0	0	0	0	2
Centre for Health Information	1	1	0	0	0	0	0	0	0	0	2
City of Corner Brook	2	5	0	1	0	0	0	0	0	0	8
City of Mount Pearl	9	1	2	0	0	0	0	0	0	0	12
City of St. John's	61	5	2	3	1	0	1	1	0	0	74
College of the North Atlantic	2	0	0	1	0	0	0	0	0	3	6
Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador	2	0	1	0	0	0	0	0	0	0	3
Corner Brook Local Board of Appeal	1	0	0	0	0	0	0	0	0	0	1
Eastern Health	31	18	8	0	0	0	0	0	0	0	57
Eastern Waste Management	1	0	0	0	0	0	0	0	0	0	1
Government Purchasing Agency	8	0	1	0	0	0	0	0	0	1	10
Labour Relations Board	1	0	0	0	0	0	0	0	0	0	1
Labrador-Grenfell Health	2	2	5	0	0	0	0	0	0	0	9
Memorial University	33	18	7	1	8	0	0	0	0	2	69
Multi-Materials Stewardship Board	0	1	0	0	0	0	0	0	0	0	1
Nalcor Energy	17	12	15	2	5	2	2	0	0	0	55
Newfoundland and Labrador English School District	32	11	4	0	2	0	1	0	1	1	52
Newfoundland and Labrador Film Development Corporation	2	0	0	0	0	0	0	0	0	0	2
Newfoundland and Labrador Housing Corporation	0	2	0	0	0	0	0	0	0	0	2

³ 1107 general requests were received by departments; however 11 requests had not closed at the time of this report.

OUTCOME BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Do not Exist	Access Denied	Withdrawn	Publicly Available	Disregard	Abandon	Neither Confirm/Deny	Not Closed	TOTAL
Newfoundland Labrador Liquor Corporation	3	1	0	0	0	0	0	0	0	0	4
Professional Fish Harvester's Certification Board	0	0	0	1	0	0	0	0	0	0	1
Provincial Information and Library Resources Board	1	1	0	0	0	0	0	0	0	0	2
Public Utilities Board	2	0	0	0	0	0	0	0	0	0	2
The Rooms	0	4	0	0	0	0	0	0	0	1	5
Royal Newfoundland Constabulary	8	6	2	43	0	0	0	0	0	0	59
Town of Bay Bulls	4	9	0	0	0	0	0	0	0	0	13
Town of Channel-Port aux Basques	0	0	0	1	0	0	0	0	0	0	1
Town of Conception Bay South	7	13	0	0	1	0	0	0	0	0	21
Town of Eastport	0	3	0	0	0	0	0	0	0	0	3
Town of Flatrock	1	0	0	0	0	0	0	0	0	0	1
Town of Fogo Island	0	1	0	0	0	0	0	0	0	0	1
Town of Gander	17	3	0	0	0	0	0	0	0	0	20
Town of Happy Adventure	0	1	0	0	0	0	0	0	0	0	1
Town of Happy Valley-Goose Bay	1	0	0	0	0	0	0	0	0	0	1
Town of Harbour Grace	3	0	0	0	1	0	0	0	0	0	4
Town of Hare Bay	1	0	0	0	0	0	0	0	0	0	1
Town of Holyrood	1	0	1	0	0	0	0	0	0	0	2
Town of Labrador City	2	0	0	0	0	0	0	0	0	0	2
Town of Logy Bay	1	0	0	0	0	0	0	0	0	0	1
Town of Marystown	2	4	0	1	0	0	0	0	0	0	7
Town of Paradise	5	0	2	2	1	0	0	0	0	0	10
Town of Pasadena	1	0	0	0	0	0	0	0	0	0	1
Town of Portugal Cove-St. Philip's	48	12	10	1	3	3	0	0	0	0	77
Town of St. Brendan's	0	0	1	0	0	0	0	0	0	0	1
Town of St. George's	0	0	1	0	0	0	0	0	0	0	1
Town of Stephenville	3	0	3	0	1	0	0	0	0	0	7
Town of Terrenceville	0	1	0	0	0	0	0	0	0	0	1

OUTCOME BY PUBLIC BODY	Full Disclosure	Partial Disclosure	Do not Exist	Access Denied	Withdrawn	Publicly Available	Disregard	Abandon	Neither Confirm/Deny	Not Closed	TOTAL
Town of Torbay	0	0	0	0	1	0	0	0	0	0	1
Town of Upper Island Cove	0	0	0	0	0	0	0	0	0	4	4
Town of Wabana	1	0	0	0	0	0	0	0	0	0	1
Town of Whitbourne	1	0	0	0	0	0	0	0	0	0	1
Town of Witless Bay	1	5	0	1	0	0	0	1	0	0	8
Western Health	8	6	3	0	0	0	0	0	0	0	17
Workplace NL	9	3	0	0	0	0	0	0	0	0	12
TOTAL	346	152	68	58	24	5	4	2	1	12	672
Percentage %	51%	23%	10%	9%	4%	1%	1%	0%	0%	2%	101%

Note: Percentages do not add up to 100% due to rounding.

Of the 660⁴ general requests responded to by public bodies, 498 (75 per cent) resulted in full or partial disclosure, while 68 (ten per cent) were for records that did not exist. Access was denied in 58 (nine per cent) requests.

Exceptions to Disclosure

One of the main purposes of the Act is to provide access to information subject only to specific and limited circumstances. Under the Act, certain types of information are exempt from disclosure to applicants. There are two categories of exceptions: mandatory exceptions, which departments and public bodies must apply; and discretionary exceptions, which departments and public bodies may exercise discretion to apply.

Since a single request may list more than one exception, the numbers noted in the tables below do not correlate to the total number of access requests received during the 2016-17 fiscal year. For example, one record or piece of information could be severed citing cabinet confidences (s.27), policy advice or recommendations (s.29) and information harmful to the financial or economic interests of a public body (s.35).

⁴ 672 general requests were received by departments; however 12 requests had not closed at the time of this report.

Table 6 – Exceptions to Disclosure for General Requests by Departments and Public Bodies (April 1, 2016 to March 31, 2017)

SECTION OF THE ATIPP ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.27 – Cabinet Confidences	115	10%
s.33 – Information from a Workplace Investigation	7	1%
s.39 – Disclosure Harmful to Business Interests of a Third Party	56	5%
s.40 – Disclosure Harmful to Personal Privacy	503	42%
s.41 – Disclosure of House of Assembly Service and Statutory Office Records	4	0%
DISCRETIONARY		
s.28 – Local Public Body Confidences	7	1%
s.29 – Policy Advice or Recommendations	181	15%
s.30 – Legal Advice	103	9%
s.31 – Disclosure Harmful to Law Enforcement	45	4%
s.32 – Confidential Evaluations	5	0%
s.34 – Disclosure Harmful to Intergovernmental Relations or Negotiations	54	4%
s.35 – Disclosure Harmful to Financial or Economic Interests of a Public Body	105	9%
s.36 – Disclosure Harmful to Conservation	8	1%
s.37 – Disclosure Harmful to Individual or Public Safety	0	0%
s.38 – Disclosure Harmful to Labour Relations Interests of Public Body as Employer	11	1%
TOTAL (MANDATORY AND DISCRETIONARY)	1204	102%

Note: Percentages do not add up to 100% due to rounding.

The exceptions to disclosure listed above were used in 1204 instances. Section 40 (mandatory exception for personal information) was the most widely applied exception, used in 503 (42 per cent) instances of all applied exceptions. Discretionary exceptions were used in 519 (44 per cent) of the exceptions applied.

Response Times

The Act requires that public bodies respond to a request within 20 business days of receipt under section 16.

With the approval of the Information and Privacy Commissioner under section 23, public bodies could apply an extension and the Commissioner may approve an application for extension where he/she considers it necessary and

reasonable to do so in the circumstances, for the number of business days the Commissioner considers appropriate.

Table 7a provides a breakdown by department indicating when each met their legislated timelines (including with an extension), and when they did not meet their legislated timelines.

Table 7a – Response Timelines for General Requests by Department (April 1, 2016 to March 31, 2017)

DEPARTMENT	Met Timeline	Met Timeline with Extension	Timeline not Met	Not Closed	TOTAL
Advanced Education, Skills and Labour	24	0	0	0	24
Children, Seniors and Social Development	31	4	0	0	35
Education and Early Childhood Development	60	0	0	0	60
Executive Council (Cabinet Secretariat)	35	3	0	1	39
Communications and Public Engagement Branch	4	0	0	0	4
Human Resource Secretariat	31	0	0	0	31
Intergovernmental and Indigenous Affairs Secretariat	5	0	1	0	6
Office of the Chief Information Officer	10	0	0	0	10
Office of Climate Change	1	0	0	0	1
Office of Labrador Affairs	9	1	2	0	12
Premier's Office	93	5	1	1	100
Women's Policy Office	9	0	0	0	9
Finance	56	4	0	1	61
Fisheries and Land Resources	47	0	0	1	48
Health and Community Services	98	9	0	3	110
Justice and Public Safety	71	0	19	0	90
Municipal Affairs and Environment	147	6	5	0	158
Natural Resources	68	10	11	1	90
Service NL	58	2	1	0	61
Tourism, Culture, Industry and Innovation	36	0	1	1	38
Transportation and Works	84	17	17	2	120
Total	977	61	58	11	1107
Percentage %	88%	6%	5%	1%	100%

Table 7b provides a breakdown by public body indicating when they met their legislated timelines (including with an extension).

Table 7b – Response Timelines for General Requests by Public Body (April 1, 2016 to March 31, 2017)

PUBLIC BODY	Met Timeline	Met Timeline with Extension	Timeline not Met	Not Closed	TOTAL
Central Health	9	0	2	0	11
Central Newfoundland Waste Management	1	0	1	0	2
Centre for Health Information	2	0	0	0	2
City of Corner Brook	5	3	0	0	8
City of Mount Pearl	12	0	0	0	12
City of St. John's	69	4	1	0	74
College of the North Atlantic	3	0	0	3	6
Conseil scolaire francophone provincial de Terre-Neuve-et-Labrador	3	0	0	0	3
Corner Brook Local Board of Appeal	1	0	0	0	1
Eastern Health	53	4	0	0	57
Eastern Waste Management	1	0	0	0	1
Government Purchasing Agency	9	0	0	1	10
Labour Relations Board	1	0	0	0	1
Labrador-Grenfell Health	9	0	0	0	9
Memorial University	57	6	4	2	69
Multi-Materials Stewardship Board	0	1	0	0	1
Nalcor Energy	52	3	0	0	55
Newfoundland and Labrador English School District	42	1	8	1	52
Newfoundland and Labrador Film Development Corporation	2	0	0	0	2
Newfoundland and Labrador Housing Corporation	2	0	0	0	2
Newfoundland Labrador Liquor Corporation	4	0	0	0	4
Professional Fish Harvester's Certification Board	1	0	0	0	1
Provincial Information and Library Resources Board	2	0	0	0	2
Public Utilities Board	2	0	0	0	2
The Rooms	2	0	2	1	5

PUBLIC BODY	Met Timeline	Met Timeline with Extension	Timeline not Met	Not Closed	TOTAL
Royal Newfoundland Constabulary	56	0	3	0	59
Town of Bay Bulls	9	1	3	0	13
Town of Channel-Port aux Basques	1	0	0	0	1
Town of Conception Bay South	21	0	0	0	21
Town of Eastport	3	0	0	0	3
Town of Flatrock	1	0	0	0	1
Town of Fogo Island	1	0	0	0	1
Town of Gander	17	0	3	0	20
Town of Happy Adventure	1	0	0	0	1
Town of Happy Valley-Goose Bay	1	0	0	0	1
Town of Harbour Grace	4	0	0	0	4
Town of Hare Bay	1	0	0	0	1
Town of Holyrood	1	0	1	0	2
Town of Labrador City	2	0	0	0	2
Town of Logy Bay	1	0	0	0	1
Town of Marystown	7	0	0	0	7
Town of Paradise	9	0	1	0	10
Town of Pasadena	1	0	0	0	1
Town of Portugal Cove-St. Philip's	70	2	5	0	77
Town of St. Brendan's	1	0	0	0	1
Town of St. George's	1	0	0	0	1
Town of Stephenville	7	0	0	0	7
Town of Terrenceville	1	0	0	0	1
Town of Torbay	1	0	0	0	1
Town of Upper Island Cove	0	0	0	4	4
Town of Wabana	1	0	0	0	1
Town of Whitbourne	1	0	0	0	1
Town of Witless Bay	8	0	0	0	8
Town of Western Health	15	0	2	0	17
Town of Workplace NL	12	0	0	0	12
TOTAL	599	25	36	12	672
Percentage %	89%	4%	5%	2%	100%

Section B - Personal Information Requests

Personal information can be requested by the individual the information is about or by an individual who has been delegated authority on behalf of that person.

This section of the report provides the volume and applicant type for personal information requests, outcomes, exceptions to disclosure and response times.

Volume and Applicant Type

Table 8a – Personal Information Requests by Department and Applicant Type (April 1, 2016 to March 31, 2017)

DEPARTMENT	Individual	Legal Firm	Interest Group	TOTAL
Advanced Education, Skills and Labour	10	2	0	12
Children, Seniors and Social Development	7	0	0	7
Education and Early Childhood Development	3	0	0	3
Executive Council (Cabinet Secretariat)	5	0	0	5
Human Resources Secretariat	6	0	0	6
Intergovernmental and Indigenous Affairs Secretariat	1	0	0	1
Office of the Chief Information Officer	4	0	0	4
Office of Labrador Affairs	1	0	0	1
Premier's Office	7	0	0	7
Women's Police Office	2	0	0	2
Finance	3	0	1	4
Fisheries and Land Resources	5	1	0	6
Health and Community Services	12	0	0	12
Justice and Public Safety	49	1	0	50
Municipal Affairs and Environment	15	0	1	16
Natural Resources	1	0	0	1
Service NL	21	0	0	21
Tourism, Culture, Industry and Innovation	1	0	0	1
Transportation and Works	3	0	0	3
Total by Applicant Type	156	4	2	162
Percentage %	96%	2%	1%	99%

Note: Percentages do not add up to 100% due to rounding.

Table 8b – Personal Information Requests by Public Body and Applicant Type (April 1, 2016 to March 31, 2017)

PUBLIC BODY	Individual	Legal Firm	Business	Media	Other Public Body	TOTAL
Central Health	1	3	0	0	0	4
City of Corner Brook	1	0	0	0	0	1
City of St. John's	5	0	0	1	0	6
College of the North Atlantic	6	0	0	0	0	6
Eastern Health	10	0	0	0	0	10
Human Rights Commission	2	0	0	0	0	2
Memorial University	12	1	0	0	0	13
Nalcor Energy	1	0	0	0	0	1
Newfoundland and Labrador English School District	3	0	0	0	0	3
Newfoundland and Labrador Housing Corporation	1	1	0	0	0	2
Public Service Commission	0	1	0	0	0	1
Royal Newfoundland Constabulary Public Complaints Commission	1	0	0	0	0	1
Royal Newfoundland Constabulary	69	1	2	0	0	72
Town of Bay Bulls	1	0	0	0	0	1
Town of Fogo Island	0	1	0	0	0	1
Town of Gander	1	0	0	0	0	1
Town of Kippens	0	0	0	0	1	1
Town of Marystown	7	0	0	0	0	7
Town of Portugal Cove-St. Philip's	4	0	0	0	0	4
Western Health	5	0	0	0	0	5
Workplace NL	2	0	0	0	0	2
TOTAL	132	8	2	1	1	144
Percentage %	92%	6%	1%	1%	1%	101%

Note: Percentages do not add up to 100% due to rounding.

Frequency Applicant Type

Table 9 – Personal Information Requests by Frequency of Applicant Type (April 1, 2016 to March 31, 2017)

Applicant Type	Department	Public Body	Total	Percentage
Individual	156	132	288	94%
Legal Firm	4	8	12	4%
Interest Group	2	0	2	1%
Business	0	2	2	1%
Media	0	1	1	0%
Other Public Body	0	1	1	0%
Total	162	144	306	100%

Costs

There were no costs associated with personal information requests.

Final Outcomes

The outcomes of personal information requests are shown in Table 10a for government departments and Table 10b for public bodies.

Table 10a – Final Outcome of Personal Information Requests by Department (April 1, 2016 to March 31, 2017)

OUTCOME BY DEPARTMENT	Partial Disclosure	Full Disclosure	Do not Exist	Other	Withdrawn	Access Denied	Disregard	TOTAL
Advanced Education, Skills and Labour	2	4	2	3	0	0	1	12
Children, Seniors and Social Development	6	1	0	0	0	0	0	7
Education and Early Childhood Development	2	1	0	0	0	0	0	3
Executive Council (Cabinet Secretariat)	3	1	1	0	0	0	0	5
Human Resource Secretariat	3	2	1	0	0	0	0	6
Intergovernmental and Indigenous Affairs Secretariat	0	0	1	0	0	0	0	1
Office of the Chief Information Officer	0	0	1	1	2	0	0	4
Office of Labrador Affairs	1	0	0	0	0	0	0	1

OUTCOME BY DEPARTMENT	Partial Disclosure	Full Disclosure	Do not Exist	Other	Withdrawn	Access Denied	Disregard	TOTAL
Premier's Office	2	3	2	0	0	0	0	7
Women's Policy Office	2	0	0	0	0	0	0	2
Finance	0	3	1	0	0	0	0	4
Fisheries and Land Resources	0	4	2	0	0	0	0	6
Health and Community Services	0	0	6	0	4	0	2	12
Justice and Public Safety	17	5	9	15	1	3	0	50
Municipal Affairs and Environment	7	5	1	0	2	1	0	16
Natural Resources	1	0	0	0	0	0	0	1
Service NL	3	12	2	0	1	3	0	21
Tourism, Culture, Industry and Innovation	0	0	1	0	0	0	0	1
Transportation and Works	3	0	0	0	0	0	0	3
Total	52	41	30	19	10	7	3	162
Percentage %	32%	25%	19%	12%	6%	4%	2%	100%

Of the 162 personal information requests responded to by departments, 93 (57 per cent) resulted in full or partial disclosure. Thirty (19 per cent) requests were for records that did not exist and, in seven (four per cent) requests, access was denied.

Table 10b – Final Outcome of Personal Information Requests by Public Body (April 1, 2016 to March 31, 2017)

OUTCOME BY PUBLIC BODY	Access Denied	Full Disclosure	Partial Disclosure	Do not Exist	Withdrawn	Neither Confirm/Deny	Abandon	TOTAL
Central Health	0	0	4	0	0	0	0	4
City of Corner Brook	1	0	0	0	0	0	0	1
City of St. John's	0	6	0	0	0	0	0	6
College of the North Atlantic	1	2	2	1	0	0	0	6
Eastern Health	0	5	4	0	0	0	1	10
Human Rights Commission	0	2	0	0	0	0	0	2

OUTCOME BY PUBLIC BODY	Access Denied	Full Disclosure	Partial Disclosure	Do not Exist	Withdrawn	Neither Confirm/Deny	Abandon	TOTAL
Memorial University	0	1	8	2	2	0	0	13
Nalcor Energy	0	0	1	0	0	0	0	1
Newfoundland and Labrador English School District	0	0	2	1	0	0	0	3
Newfoundland and Labrador Housing Corporation	0	1	1	0	0	0	0	2
Public Service Commission	0	0	0	1	0	0	0	1
Royal Newfoundland Constabulary Public Complaints Commission	0	0	1	0	0	0	0	1
Royal Newfoundland Constabulary	60	2	1	6	0	2	1	72
Town of Bay Bulls	0	0	1	0	0	0	0	1
Town of Fogo Island	0	1	0	0	0	0	0	1
Town of Gander	0	1	0	0	0	0	0	1
Town of Kippens	0	1	0	0	0	0	0	1
Town of Marystown	0	3	3	1	0	0	0	7
Town of Portugal Cove-St. Philip's	0	2	0	1	1	0	0	4
Western Health	1	2	2	0	0	0	0	5
Workplace NL	0	2	0	0	0	0	0	2
TOTAL	63	31	30	13	3	2	2	144
Percentage %	44%	22%	21%	9%	2%	1%	1%	100%

Of the 144 personal information requests responded to by public bodies, 61 (43 per cent) resulted in full or partial disclosure. Access was denied in 63 (44 percent) of requests and 13 (nine per cent) requests were for records that did not exist.

Exceptions to Disclosure

Since a single request may list more than one exception, the numbers noted in the tables below do not correlate to the total number of access requests received during the 2016-17 fiscal year. For example, one record or piece of information could be severed citing cabinet confidences (s.27), policy advice or

recommendations (s.29) and information harmful to the financial or economic interests of a public body (s.35).

Table 11 – Exceptions to Disclosure for Personal Information Requests by Departments and Public Bodies (April 1, 2016 to March 31, 2017)

SECTION OF THE ACT	TOTAL	PERCENTAGE %
MANDATORY		
s.27 – Cabinet Confidences	0	0%
s.33 – Information from a Workplace Investigation	1	1%
s.39 – Disclosure Harmful to the Business Interests of a Third Party	0	0%
s.40 – Disclosure Harmful to Personal Privacy	77	50%
s.41 – Disclosure of House of Assembly service and Statutory Office Records	4	3%
DISCRETIONARY		
s.28 – Local Public Body Confidences	1	1%
s.29 – Policy Advice or Recommendations	10	6%
s.30 – Legal Advice	16	10%
s.31 – Disclosure Harmful to Law Enforcement	34	22%
s.32 – Confidential Evaluations	4	3%
s.34 – Disclosure Harmful to Intergovernmental Relations or Negotiations	2	1%
s.35 – Disclosure Harmful to the Financial or Economic Interests of a Public Body	1	1%
s.36 – Disclosure Harmful to Conservation	0	0%
s.37 – Disclosure Harmful to Individual or Public Safety	2	1%
s.38 – Disclosure Harmful to Labour Relations Interests of Public Body as Employer	2	1%
TOTAL	154	100%

The same exceptions which apply to general requests may also apply to requests for personal information. The exceptions to disclosure listed above were used in 154 instances. Section 40 (mandatory exception for personal information) was the most widely applied exception, used in 77 (50 per cent) of exceptions. Discretionary exceptions were used in 72 (46 per cent) of the exceptions applied.

Response Times

The Act requires that public bodies respond to a request within 20 business days of receipt under section 16.

With the approval of the Information and Privacy Commissioner under section 23, public bodies can apply for an extension and the Commissioner may approve an application for extension where he/she considers it necessary and reasonable to do so in the circumstances, for the number of business days the Commissioner considers appropriate.

Table 12a provides a breakdown by department indicating when they met their legislated timelines (including with an extension).

Table 12a – Response Timelines of Personal Information Requests by Department (April 1, 2016 to March 31, 2017)

DEPARTMENT	Met Timeline	Met Timeline with Extension	Not Met	TOTAL
Advanced Education, Skills and Labour	12	0	0	12
Children, Seniors and Social Development	7	0	0	7
Education and Early Childhood Development	3	0	0	3
Executive Council (Cabinet Secretariat)	3	1	1	5
Human Resource Secretariat	6	0	0	6
Intergovernmental and Indigenous Affairs Secretariat	1	0	0	1
Office of the Chief Information Officer	4	0	0	4
Office of Labrador Affairs	0	1	0	1
Premier's Office	6	1	0	7
Women's Police Office	2	0	0	2
Finance	4	0	0	4
Fisheries and Land Resources	6	0	0	6
Health and Community Services	12	0	0	12
Justice and Public Safety	36	0	14	50
Municipal Affairs and Environment	15	1	0	16
Natural Resources	1	0	0	1
Service NL	21	0	0	21

DEPARTMENT	Met Timeline	Met Timeline with Extension	Not Met	TOTAL
Tourism, Culture, Industry and Innovation	1	0	0	1
Transportation and Works	2	1	0	3
Total	142	5	15	162
Percentage %	88%	3%	9%	100%

Table 12b provides a breakdown by public body indicating when they met their legislated timelines (including with an extension).

Table 12b – Response Timelines of Personal Information Requests by Public Body (April 1, 2016 to March 31, 2017)

PUBLIC BODY	Met Timeline	Met Timeline with Extension	Timeline not Met	TOTAL
Central Health	3	1	0	4
City of Corner Brook	0	1	0	1
City of St. John's	6	0	0	6
College of the North Atlantic	6	0	0	6
Eastern Health	10	0	0	10
Human Rights Commission	2	0	0	2
Memorial University	12	1	0	13
Nalcor Energy	1	0	0	1
Newfoundland and Labrador English School District	1	0	2	3
Newfoundland and Labrador Housing Corporation	2	0	0	2
Public Service Commission	1	0	0	1
Royal Newfoundland Constabulary Public Complaints Commission	0	1	0	1
Royal Newfoundland Constabulary	72	0	0	72
Town of Bay Bulls	1	0	0	1
Town of Fogo Island	0	0	1	1
Town of Gander	1	0	0	1
Town of Kippens	1	0	0	1
Town of Marystown	7	0	0	7
Town of Portugal Cove-St. Philip's	4	0	0	4

PUBLIC BODY	Met Timeline	Met Timeline with Extension	Timeline not Met	TOTAL
Western Health	5	0	0	5
Workplace NL	2	0	0	2
TOTAL	137	4	3	144
Percentage %	95%	3%	2%	100%

Request for Correction of Personal Information

Under section 10 of the Act, an individual who believes there is an error or omission in his or her personal information on record with a department or public body may request that the relevant public body correct the information.

No requests for correction of personal information were reported by government departments.

One correction of personal information was reported by the Newfoundland and Labrador English School District for the period of April 1, 2016 - March 31, 2017.

Annex B – House of Assembly and Statutory Offices Statistics

During 2016-17, the House of Assembly and Statutory Offices received a total of 32 general and personal access requests.

Type and Volume of Requests

During the 2016-17 fiscal year, a total of 32 requests were received by the House of Assembly and Statutory Offices. Of these, 30 (94 per cent) were general requests and two (six per cent) were personal information requests.

Table 1 – Requests received by House of Assembly and Statutory Office and Type (April 1, 2016 to March 31, 2017)

OFFICE	General	Personal	TOTAL
Commissioner of Legislative Standards	1	0	1
House of Assembly	20	1	21
Office of the Chief Electoral Officer	5	0	5
Office of the Child and Youth Advocate	1	0	1
Office of the Citizens Representative	1	1	2
Office of the Information and Privacy Commissioner	2	0	2
Total by Type of Request	30	2	32
Percentage %	94%	6%	100%

Costs

There were no fees paid by applicants for House of Assembly or Statutory Office access requests.

Final Outcomes

Table 2 – Final Outcome by House of Assembly and Statutory Office (April 1, 2016 to March 31, 2017)

OFFICE	Full Disclosure	Do not Exist	Partial Disclosure	Withdrawn	Publicly Available	Access Denied	TOTAL
Commissioner of Legislative Standards	0	0	0	0	0	1	1
House of Assembly	12	4	2	2	1	0	21
Office of the Chief Electoral Officer	3	1	0	1	0	0	5
Office of the Child and Youth Advocate	1	0	0	0	0	0	1
Office of the Citizens Representative	1	0	1	0	0	0	2
Office of the Information and Privacy Commissioner	2	0	0	0	0	0	2
Total by Type of Request	19	5	3	3	1	1	32
Percentage %	59%	16%	9%	9%	3%	3%	99%

Note: Percentages do not add up to 100% due to rounding.

Of the 32 requests responded to by the House of Assembly and Statutory Offices, 22 (68 per cent) resulted in full or partial disclosure, five (16 per cent) were for records that did not exist and access was denied in one (3 per cent) request.

Exceptions to Disclosure

Since a single request may list more than one exception, the numbers noted in the tables below do not correlate to the total number of access requests received during the 2016-17 fiscal year. For example, one record or piece of information could be severed citing cabinet confidences (s.27), policy advice or recommendations (s.29) and information harmful to the financial or economic interests of a public body (s.35).

Table 3 – Exceptions to Disclosure for Requests by the House of Assembly and Statutory Offices (April 1, 2016 to March 31, 2017)

SECTION OF THE ATIPP ACT*	TOTAL	PERCENTAGE %
MANDATORY		
s.27 – Cabinet Confidences	0	0%
s.33 – Information from a Workplace Investigation	0	0%
s.39 – Disclosure Harmful to Business Interests of a Third Party	0	0%
s.40 – Disclosure Harmful to Personal Privacy	3	60%
s.41 – Disclosure of House of Assembly Services and Statutory Office Records	2	40%
DISCRETIONARY		
s.28 – Local Public Body Confidences	0	0%
s.29 – Policy Advice or Recommendations	0	0%
s.30 – Legal Advice	0	0%
s.31 – Disclosure Harmful to Law Enforcement	0	0%
s.32 – Confidential Evaluations	0	0%
s.34 – Disclosure Harmful to Intergovernmental Relations or Negotiations	0	0%
s.35 – Disclosure Harmful to Financial or Economic Interests of a Public Body	0	0%
s.36 – Disclosure Harmful to Conservation	0	0%
s.37 – Disclosure Harmful to Individual or Public Safety	0	0%
s.38 – Disclosure Harmful to Labour Relations Interests of Public Body as Employer	0	0%
Total (mandatory and discretionary)	5	100%

The exceptions to disclosure listed above were used in five instances. Sections 40 and 41 (mandatory exceptions for personal information and House of assembly services and statutory office records) were used in three (60 per cent) and two (40 per cent) instances respectively.

Response Time

Table 4 provides a breakdown by House of Assembly or Statutory Office, indicating when each met their legislated timelines (including with an extension), and when they did not meet their legislated timelines.

Table 4 – Response Timelines for Requests by House of Assembly or Statutory Office (April 1, 2016 to March 31, 2017)

OFFICE	Met Timeline	Timeline not Met	Total
Commissioner of Legislative Standards	1	0	1
House of Assembly	21	0	21
Office of the Chief Electoral Officer	5	0	5
Office of the Child and Youth Advocate	1	0	1
Office of the Citizens Representative	2	0	2
Office of the Information and Privacy Commissioner	2	0	2
Total	32	0	32
Percentage %	100%	0%	100%

Request for Correction of Personal Information

No requests for correction of personal information were reported by the House of Assembly or Statutory Offices for the period of April 1, 2016 - March 31, 2017.

Annex C – Cost Schedule

Establishment of Costs for the Access to Information and Protection of Privacy Act

Pursuant to Section 21 of the *Executive Council Act*, Section 25 of the *Access to Information and Protection of Privacy Act* and all other powers enabling him in this regard, the Minister of the Office of Public Engagement has been pleased to establish the costs, effective from the 1st day of June, 2015.

Dated at St. John's in the Province of Newfoundland and Labrador, on the 1st day of June, 2015.

The Honourable Steve Kent
Minister of the Office of Public Engagement

COSTS

1. In this cost schedule "applicant" refers to a person who makes a request for access to a record pursuant to the *Access to Information and Protection of Privacy Act*.
2. A public body shall not charge an applicant:
 - (a) for making an access to information request; or
 - (b) for identifying, retrieving, reviewing, severing or redacting a record;
3. A public body may charge an applicant:
 - (a) \$25.00 for each hour spent locating a record after the first ten (10) hours, where the request is made to a local government body; or
 - (b) \$25.00 for each hour spent locating a record after the first fifteen (15) hours, where the request is made to another public body.
4. A public body may charge an applicant:
 - (a) 25 cents a page for providing a copy or print of the record, where the record is stored or recorded in printed form and can be reproduced or printed using conventional equipment;
 - (b) the actual cost of reproducing or providing a record, where a record cannot be reproduced or printed on conventional equipment then in use by the public body; and
 - (c) The actual cost of shipping a record using the method chosen by the applicant.
5. A person who requests access to his or her own personal information shall not be required to pay any costs for access to that personal information.
6. (a) Where costs are to be charged, the public body is required to give the applicant an estimate of the total cost before providing the service. The public body will require the applicant to pay 50 percent of the cost estimate prior to commencing the work required to respond to the request, with the remaining

- 50 percent to be paid upon completion of the services.
- (b) Upon being provided with a cost estimate, the applicant has 20 business days from the day the estimate is sent to:
- (i) accept the estimate and pay 50 percent of the costs;
 - (ii) modify the request in order to change the amount of the cost;
 - (iii) apply to the public body to waive all or part of the costs; or
 - (iv) submit a complaint to the commissioner about the costs.
- (c) Where an estimate is given to an applicant under (b), the time within which the head of the public body is required to respond is suspended until the applicant notifies the head to proceed with the request.
- (d) If the applicant does not respond to the cost estimate as set out in (b), the applicant is considered to have abandoned the request.
- (e) The costs charged to the applicant shall not exceed either the actual cost of the services or the estimate given to the applicant.
7. (a) The head of a public body may, upon receipt of an application from an applicant, waive the payment of all or part of the costs payable where the head is satisfied that:
- (i) payment would impose an unreasonable financial hardship on the applicant; or
 - (ii) it would be in the public interest to disclose the record.
- (b) Where an applicant applies for a waiver, the head of the public body shall inform the applicant in writing as to the head's decision about waiving all or part of the costs.
- (c) The head shall refund any amount paid by an applicant that is subsequently waived.
8. Any new cost estimate for access to information requests shall be calculated in accordance with this cost schedule effective immediately.

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